

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Samuel R. Ameduri, III

Plaintiff

vs.

CASE NUMBER: 6:11-CV-50 (NAM/DEP)

The Village of Frankfort; Steven Conley, as Chief of Police of the Village of Frankfort Police Department and in his Individual Capacity; and Dan Herrman as a Police Officer in the Village of Frankfort Police Department and in his Individual Capacity

Defendant(s)

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

MEMORANDUM-DECISION & ORDER: The Court finds that plaintiff has failed to raise a triable issue with respect to any of his federal claims, therefore the Court elects to dismiss all of the federal claims in the complaint, the Court will not exercise its supplemental jurisdiction to address plaintiff's remaining state law claims. It is ordered that the Motion for Partial Summary Judgment by defendant Herman is GRANTED IN PART AND DENIED IN PART; the Motion for Partial Summary Judgment by defendant Conley and the Village of Frankfort is GRANTED IN PART AND DENIED IN PART; the Letter Motion filed by plaintiff requesting the Court consider defendant Conley as a policy maker is GRANTED; and further the Cross Motion for Partial Summary Judgment is DENIED. Plaintiff's first, second, and third causes of action in the complaint are DISMISSED with prejudice and it is further ordered that the federal claims against defendants Conley and Herrman in their individual and personal capacities are DISMISSED with prejudice; that the sixth cause of action is DISMISSED with prejudice; that plaintiff's claim for punitive damages against the defendant Village is DISMISSED with prejudice; that plaintiff's fourth and fifth causes of action are DISMISSED without prejudice.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue,
dated the 31st day of March, 2014.

DATED: March 31, 2014



Joanne Bleskoski
Clerk of Court

s/ Joanne Bleskoski

Deputy Clerk